

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL**  
**BRIEF**

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the Notification of Non-Compliant Appeal Brief mailed on December 4, 2006, the applicants submit an amended “Real Party in Interest” section in accordance with M.P.E.P 1205.03 and 37 CFR §41.37(c)(1)(i). This Response is timely filed within one month of the mailing of the Notification of Non-Compliant Appeal Brief.

**I. Real Party In Interest**

The real party in interest in this matter is Rite-Hite Holding Corporation by virtue of an assignment recorded with the United States Patent and Trademark Office at Reel 014959, Frame 0329.

Respectfully submitted,

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**December 15, 2006**